

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 698

Introduced by Senator Negrete McLeod

February 27, 2009

An act to amend Sections 2550.1 and 2558.46 of the Education Code, relating to juvenile court schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 698, as amended, Negrete McLeod. Juvenile court schools: funding.

Existing law provides for the administration and operation of public schools in juvenile halls, juvenile homes, day centers, juvenile ranches, juvenile camps, regional youth educational facilities, ~~or~~ and Orange County youth correctional centers, as specified. Existing law requires the county board of education to provide for the administration and operation of juvenile court schools either by the county superintendent of schools, as specified, or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located.

Existing law requires the Superintendent of Public Instruction to compute an inflation adjusted revenue limit for juvenile court school programs operated by a county superintendent of schools.

This bill would require for each reporting period the use of average daily enrollment instead of average daily attendance in computing the revenue limit for each such school. The bill would define average daily enrollment.

Existing law requires a revenue limit to be calculated for each county superintendent of schools, adjusted for various factors, and reduced, as specified. Existing law reduces the revenue limit for each county

superintendent of schools for the 2008–09 fiscal year by a deficit factor of 7.839%, and for the 2009–10 fiscal year by a deficit factor of 13.360%.

This bill would state the intent of the Legislature to enact legislation to develop an adequate funding formula to address the specific educational needs of the state’s wards who receive educational services in these juvenile court schools exempt the revenue limit funding generated by pupils enrolled in juvenile court school programs from the deficit factor reduction for the 2008–09 and 2009–10 fiscal years.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. ~~(a)~~ The Legislature finds and declares all of the
2 following:

3 ~~(1)~~

4 (a) Chapter 175 of the Statutes of 2007 redefined the offenses
5 for which a ward may be committed to the Department of
6 Corrections and Rehabilitation, Division of Juvenile Facilities.

7 ~~(2)~~

8 (b) Over the past decade, the wards detained in county facilities
9 have become a higher cost population to serve than in previous
10 years.

11 ~~(3)~~

12 (c) The funding allocated for the education of wards under the
13 jurisdiction of the county juvenile court schools does not
14 adequately reflect the needs of these students.

15 ~~(4)~~

16 (d) Studies have shown that the educational success of
17 delinquent and probation youth dramatically reduces recidivism
18 and prevents entry into the Department of Corrections and
19 Rehabilitation.

20 ~~(5)~~

21 (e) Studies further show that the educational success of
22 delinquent and probation youth results in tremendous savings to
23 the state in social services, health care, and unemployment costs.

24 ~~(b) It is the intent of the Legislature to enact legislation that~~
25 ~~would develop an adequate funding formula to address the specific~~
26 ~~educational needs of the state’s wards who receive educational~~

1 ~~services pursuant to Article 2.5 (commencing with Section 48645)~~
2 ~~of Chapter 4 of Part 27 of Division 4 of Title 2 of the Education~~
3 ~~Code.~~

4 *SEC. 2. Section 2550.1 of the Education Code is amended to*
5 *read:*

6 2550.1. (a) Commencing with the 2002–03 fiscal year, and
7 each fiscal year thereafter, for juvenile court school programs
8 operated by county superintendents of schools pursuant to Article
9 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 and
10 for county community school programs operated by county
11 superintendents of schools pursuant to Chapter 6.5 (commencing
12 with Section 1980) of Part 2, the Superintendent of Public
13 Instruction shall make the following computations:

14 (1) Apply an inflation adjustment equal to the percentage
15 increase applied to the statewide average revenue limit for school
16 districts pursuant to Section 42238.1, multiplied by the revenue
17 limits of the prior fiscal year for each juvenile court school program
18 and for each county community school program, including
19 programs with average daily attendance for pupils enrolled pursuant
20 to subdivision (c) of Section 1981 that exceeds the average daily
21 attendance claimed in the 1991–92 fiscal year.

22 (2) (A) Multiply the revenue limits per unit of average daily
23 attendance computed in paragraph (1) by the number of units of
24 average daily attendance for each juvenile court school program
25 and county community school program operated in that same fiscal
26 year.

27 (B) *For purposes of this paragraph, for each reporting period*
28 *the average daily attendance of pupils enrolled in juvenile court*
29 *schools operated pursuant to Article 2.5 (commencing with Section*
30 *48645) of Chapter 4 of Part 27 of Division 4 of Title 2 shall be the*
31 *average daily enrollment. For purposes of this paragraph,*
32 *“average daily enrollment” means the sum of the daily count of*
33 *wards of the court in placement at a facility with a juvenile court*
34 *school, as defined in Section 48645.1, divided by the divisor*
35 *specified for each reporting period in subdivision (b) of Section*
36 *41601 for schools and classes maintained by the county*
37 *superintendent of schools.*

38 (b) Cost-of-living adjustments to revenue limits per unit average
39 daily attendance in juvenile court school and county community
40 school programs operated by county superintendents of schools

1 shall be computed pursuant to paragraph (1) of subdivision (a) in
2 fiscal years in which appropriations are provided for that purpose.

3 *SEC. 3. Section 2558.46 of the Education Code is amended to*
4 *read:*

5 2558.46. (a) (1) For the 2003–04 fiscal year, the revenue limit
6 for each county superintendent of schools determined pursuant to
7 this article shall be reduced by a 1.195 percent deficit factor.

8 (2) For the 2004–05 fiscal year, the revenue limit for each county
9 superintendent of schools determined pursuant to this article shall
10 be reduced by a 0.323 percent deficit factor.

11 (3) For the 2003–04 and 2004–05 fiscal years, the revenue limit
12 for each county superintendent of schools determined pursuant to
13 this article shall be reduced further by a 1.826 percent deficit factor.

14 (4) For the 2005–06 fiscal year, the revenue limit for each county
15 superintendent of schools determined pursuant to this article shall
16 be reduced further by a 0.898 percent deficit factor.

17 (5) For the 2008–09 fiscal year, the revenue limit for each county
18 superintendent of schools determined pursuant to this article shall
19 be reduced by a 7.839 percent deficit factor. *Notwithstanding this*
20 *paragraph, the deficit factor reduction shall not be applied to the*
21 *revenue limit funding generated by pupils enrolled in juvenile*
22 *court school programs operated pursuant to Article 2.5*
23 *(commencing with Section 48645) of Chapter 4 of Part 27 of*
24 *Division 4 of Title 2.*

25 (6) For the 2009–10 fiscal year, the revenue limit for each county
26 superintendent of schools determined pursuant to this article shall
27 be reduced by a 13.360 percent deficit factor. *Notwithstanding this*
28 *paragraph, the deficit factor reduction shall not be applied to the*
29 *revenue limit funding generated by pupils enrolled in juvenile*
30 *court school programs operated pursuant to Article 2.5*
31 *(commencing with Section 48645) of Chapter 4 of Part 27 of*
32 *Division 4 of Title 2.*

33 (b) In computing the revenue limit for each county
34 superintendent of schools for the 2006–07 fiscal year pursuant to
35 this article, the revenue limit shall be determined as if the revenue
36 limit for that county superintendent of schools had been determined
37 for the 2003–04, 2004–05, and 2005–06 fiscal years without being
38 reduced by the deficit factors specified in subdivision (a).

39 (c) In computing the revenue limit for each county
40 superintendent of schools for the 2010–11 fiscal year pursuant to

1 this article, the revenue limit shall be determined as if the revenue
2 limit for that county superintendent of schools had been determined
3 for the 2009–10 fiscal year without being reduced by the deficit
4 factors specified in subdivision (a).

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